

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF OHIO**

**IN RE:** : **Chapter 13 Proceedings**

**Esther M. Cook** : **Case No.: 16-61204**

**Debtor** : **Judge Russ Kendig**

**MOTION TO DISMISS CASE**

Now comes Dynele L. Schinker-Kuharich, Standing Chapter 13 Trustee, and declares under penalty of perjury:

1. Debtors filed a petition for relief under Chapter 13 on June 2, 2016.
2. The case is delinquent in the total amount of \$6,400.00, as of August 23, 2019.
3. The last payment was received March 21, 2019.

Therefore, Trustee requests the above case be dismissed pursuant to Bankruptcy Code 1307 (c).

/s/ Dynele L. Schinker-Kuharich  
Dynele L. Schinker-Kuharich (0069389)  
Chapter 13 Trustee  
A. Michelle Jackson Limas (0074750)  
Staff Counsel to the Chapter 13 Trustee  
200 Market Avenue North, Ste. 30  
Canton, OH 44702  
Telephone: 330.455.2222  
Facsimile: 330.754.6133  
Email: [DLSK@Chapter13Canton.com](mailto:DLSK@Chapter13Canton.com)

## **NOTICE OF MOTION TO DISMISS CASE**

Dynele L. Schinker-Kuharich, Standing Chapter 13 Trustee, has filed papers with the Court to have this bankruptcy case dismissed.

**Your rights may be affected. You should read these papers carefully to discuss them with your attorney, if you have one, in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)**

If you do not want the Court to dismiss this bankruptcy case, or if you want the Court to consider your views on the Motion to Dismiss this case, then on or before **September 13, 2019**, you or your attorney must file with the Court an Objection to the Motion to Dismiss at:

Clerk of Court  
United States Bankruptcy Court  
Ralph Regula Federal Building  
401 McKinley Ave S.W.  
Canton, OH 44702

If you mail your Objection to the Court for filing, you must mail it early enough so the Court will **receive** it on or before the date stated above.

You must also send a copy to:

Dynele L. Schinker-Kuharich  
Chapter 13 Trustee  
200 Market Avenue North, Suite 30  
Canton, Ohio 44702

You must also attend a hearing on the Motion to Dismiss this case on **October 16, 2019 at 1:30 PM** at:

United States Bankruptcy Court  
Ralph Regula Federal Building  
401 McKinley Ave, S.W.  
Canton, OH 44702

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the Motion and may enter an order granting that relief.

August 23, 2019

/s/ Dynele L. Schinker-Kuharich  
Dynele L. Schinker-Kuharich (0069389)  
Chapter 13 Trustee  
A. Michelle Jackson Limas (0074750)  
Staff Counsel to the Chapter 13 Trustee  
200 Market Avenue North, Ste. 30

Canton, OH 44702  
Telephone: 330.455.2222  
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Email: [DLSK@Chapter13Canton.com](mailto:DLSK@Chapter13Canton.com)

**CERTIFICATE OF SERVICE**

I hereby certify that on August 23, 2019, a true and correct copy of the Motion to Dismiss and Notice thereof was served via the Court's Electronic Case Filing System upon these entities and individuals who are listed on the Court's Electronic Mail Notice List:

- Office of the United States Trustee at [RegisteredEmailAddress]@usdoj.gov
- Office of the Chapter 13 Trustee at dlsk@Chapter13Canton.com
- R. Joshua Brown, Counsel for Debtor, at bk.joshbrown@gmail.com

and via regular U.S. Mail, postage prepaid, upon:

Esther M. Cook, Debtor  
1049 Annfield Road  
Mansfield, OH 44903-7817

/s/ Dynele L. Schinker-Kuharich  
Dynele L. Schinker-Kuharich  
Chapter 13 Trustee